

TOWN OF WALLACE
MONTHLY TOWN COUNCIL MEETING
April 9, 2020
7:00 pm

The Wallace Town Council held its regularly scheduled monthly meeting in the Council Chambers at the Town Hall.

The following Governing Body members were present:

Charles C. Farrior, Jr., Mayor

Council Member/Mayor Pro-Tem Wannetta Carlton (participated via conference call)

Council Member Frank Brinkley

Council Member Jeff Carter

Council Member Francisco Rivas-Diaz

Council Member Jason Wells

The following members of the Governing Body were absent:

NONE

Also Present were:

Larry Bergman, Town Manager	Anna Heath, Town Attorney (via conference call)
Jackie Nicholson, Town Clerk	Gage King, Airport Manager

Mayor Charley Farrior called the regular meeting to order with a quorum of the governing body members present and the invocation was given by Town Attorney Anna Heath.

The Pledge of Allegiance was recited.

Adoption of the Agenda

Mayor Farrior called for discussion of the agenda and asked that a closed session be added at the end of the meeting to discuss purchasing real property and an item be added under old business for financing of a police vehicle. Council Member Jason Wells made a motion to adopt the agenda with those additions. The motion was seconded by Council Member Frank Brinkley and approved by unanimous vote.

Public Comment Period

There were no comments.

Consent agenda

Minutes from the March 12, 2020 monthly meeting, and the March 26, 2020 continued meeting

Mayor Farrior called for discussion of the minutes. Council Member Jeff Carter made a motion to approve the minutes as submitted which was seconded by Council Member Wells and approved by unanimous vote.

Tax Report

Town Manager Larry Bergman presented the Tax Report for the period ending April 9, 2020 and said that collections were down 2.52% compared to last year and down 4.59% compared to the 10-year overall. \$3,092.00 was received from payment plans. Manager Bergman added that delinquent notices were being prepared.

Tax Releases

Manager Bergman presented the following taxes for release:

Account #	Name	Reason	Amount
2363	Doris Avila	Out-of-Town	\$16.43
3014	Stephen Kroes	Out-of-Town	288.26

Council Member Wells made a motion to release these tax liabilities. The motion was seconded by Council Member Brinkley and approved by unanimous vote.

Budget Amendments

Manager Bergman presented budget amendment #17 and said it was related to paying off the fire truck loan, the EEG (Environmental Enhancement Grant) and the anticipated expenditures of those grant funds.

Council Member Brinkley made a motion to approve budget amendment #17 which was seconded by Council Member Wells and approved by unanimous vote.

Old Business

Manager Bergman said that this is a follow-up from the Resolution Approving Financing Terms for purchase of a police vehicle and asked the Council to approve the financing agreement dated April 13, 2020 and permit the attorney to send an opinion letter to Truist Bank.

Council Member Brinkley made that motion. The motion was seconded by Council Member Carter and approved by unanimous vote.

New Business

Financing Terms for Campbell Center Renovations

Manager Bergman said that three (3) bids were received for financing the renovations to the Campbell Center. The low bid was submitted by First Bank. The terms include borrowing \$175,000 at a fixed rate of two percent (2%) for five years. The annual payments will be approximately \$36,810.

Council Member Wells made a motion to approve a Resolution Approving Financing Terms for renovations to the Campbell Center. Council Member Carter seconded the motion which was approved by unanimous vote.

Offer to Purchase and Contract for Property for Well Site

Manager Bergman stated that an additional one-half (1/2) acre is needed for wellhead protection at the new well site at Tin City water tower site. An offer to purchase and contract for that property was presented for Council approval.

Council Member Wells made a motion to approve the Offer to Purchase and Contract in the amount of \$3,000.00 with a closing date no later than May 30, 2020 that was seconded by Council Member Brinkley and approved by unanimous vote.

Discussion of FFCRA (Families First Coronavirus Response Act)

Manager Bergman said that the Families First Coronavirus Response Act had been signed into law and provides a time-limited expansion of the FMLA (Family Medical Leave Act), emergency paid sick leave and payroll tax relief for said sick leave. The Act allows employers to exclude emergency responders from this coverage. Mr. Bergman asked the Council to approve the Act including all employees.

Council Member Brinkley made a motion to adopt the FFCRA and including all employees considered emergency responders. The motion was seconded by Council Member Carlton and approved by unanimous vote.

Financial Reports

Manager Bergman presented the financial reports and said that sales and use tax is still doing well and even if there is a decrease we may still end the year on budget. He reported that the NCLM (North Carolina League of Municipalities) was projecting a twenty percent (20%) decrease in sales tax over the next few months with a slow recovery to follow.

Hurricane Reports

Manager Bergman reported that all the Funds for Hurricane Dorian have been obligated and we are still waiting to hear on the appeal for debris removal from Hurricane Florence. Mayor Farrior said that some political contacts have been made and it has been recommended a consultant be hired for the bidding of storm debris removal which hopefully would keep this from happening again.

Council Reports

Council Member Carlton thanked everyone for what they have been doing to keep working and be safe during this time.

Council Member Wells said he talked with Dan Robinson about the storm drain line running under his property and where he thinks it runs under the corner of his building. Andy Munday, Stroud Engineering, PA, inspected and found no problem with it. Public Services Director Brent Dean will be asked to take another look at it.

Council Member Wells stated that the old garbage cans have been dumped down at the old WWTP and asked if there was a long term plan for dealing with them?

Council Member Carter mentioned that some catch basins need work. Manager Bergman said he would speak to Public Services Director Brent Dean about creating a five year plan for them.

Council Member Brinkley asked if a committee needed to be formed to leverage the funds associated with FFCRA? Manager Bergman said that expenses related to protective measures may be reimbursable through FEMA.

Council Member Brinkley asked about code enforcement at Carol C MHP and the house at the end of Teachey Rd.?

Council Member Brinkley asked about the Bait and Tackle Shop at the Mill Pond? Manager Bergman said that the project has run into some financial issues.

Council Member Rivas-Diaz expressed his thanks for keeping the Town running and said the Facebook page looks good.

Mayor's Report

Mayor Farrior said the Historic District Preservation Program needs to be firmed up and a committee formed. The kick-off meeting can be online, if necessary.

Mayor Farrior said the Town should reimburse Felix Herring for damage done to the roof of his building when the Yates building was torn down after the repairs are completed

Mayor Farrior said that letters to property owners no longer effected by the location of the line for the 830 project would be notified. Land Surveyor Davis Carr will identify which properties that are effected extend to the centerline and those that stop at the easement.

Mayor Farrior reported that Emily Miller, Funding Specialist with McAdams & Associates, LLC, was gathering figures to be presented to Rose Hill so they can make a decision about whether or not they will participate in the Valley Protein project.

Closed Session

Council Member Wells made a motion to go into closed session per GS 143-318.11(a)(5) to discuss the purchase of real property. The motion was seconded by Council Member Brinkley and approved by unanimous vote.

The Council discussed a counter offer that was made and the remaining options available. The Council indicated that they wanted these grant funds to be expended before they expire. Airport Manager King and Town Manger Bergman will work up a response to the counter offer and let the Council know after it has been reviewed by the Town Attorney.

Council Member Wells made a motion to end the closed session that was seconded by Council Member Brinkley and approved by unanimous vote.

With there being no other business to discuss at this time, Council Member Wells made a motion to adjourn. The motion was seconded by Council Member Brinkley and approved by unanimous vote.

Respectfully submitted,

Charles C. Farrior, Jr., Mayor

Jacqueline Nicholson, CMC, NCCMC
Town Clerk

**TOWN OF WALLACE
BUDGET ORDINANCE AMENDMENT #17
BATCH 32381
FOR BUDGET 2019-2020**

BE IT ORDAINED by the Town Council of the Town of Wallace, North Carolina the following amendments be made to the budget for the fiscal year ending June 30, 2020:			
Section I:	General Fund		
<u>Revenues:</u>			
Account Number	Account Description	Decrease	Increase
37-3350-000	General Fund Transfer		\$8202.00
Section II:			
<u>Expenditures:</u>			
Account Number	Account Description	Increase	Decrease
37-5300-953	Fire Truck BB&T Interest		\$4,071.00
37-5300-952	Fire Truck BB&T Principal	\$12,273.00	
	Total 37 Fund	<u>\$12,273.00</u>	<u>\$12,273.00</u>
Section III:			
<u>Revenues:</u>			
Account Number	Account Description	Decrease	Increase
13-3030-000	Environmental Enhancement Grant		\$62,500.00
Section IV:			
<u>Expenditures</u>			
Account Number	Account Description	Increase	Decrease
13-6200-201	Topographic Survey	\$25,000.00	
13-6200-203	Wetland Boundary Confirmation	\$14,000.00	
13-6200-204	Wetland Delineation Mapping	\$20,000.00	
13-6200-206	Engineer/Admin	\$3,500.00	
	Total 13 Fund	<u>\$62,500.00</u>	<u>\$62,500.00</u>
	Grand Total:	<u>\$74,773.00</u>	<u>\$74,773.00</u>

Section VI: Copy to Finance Director:

Copies of this budget amendment shall be delivered to the Finance Director for their direction in the disbursement of funds:

Adopted this the 9th day of April, 2020

Attest: _____

Jacqueline Nicholson, Town Clerk

Charles C. Farrior, Jr., Mayor

Resolution Approving Financing Terms

WHEREAS: The Town of Wallace (the "Town") has previously determined to undertake a project for the financing of Campbell Center renovations, (the "Project"), and the Finance Director has now presented a proposal for the financing of such Project.

BE IT THEREFORE RESOLVED, as follows:

1. The Town hereby determines to finance the project through First Bank, in accordance with the proposal dated March 30, 2020. The amount financed shall not exceed \$175,000.00, the annual interest rate shall not exceed 2.00%, and the financing term shall not exceed five (5) years from closing.

2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the Town are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution.

3. The Finance Director is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Director is authorized to approve changes to any Financing Documents previously signed by Town officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officer. The Financing Documents shall be in such final forms as the Finance Director shall approve, with the Finance Director's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.

4. The Town shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The Town hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).

5. The Town intends that the adoption of this resolution will be a declaration of the Town's official intent to reimburse expenditures for the project that is to be financed from the proceeds of First Bank financing described above. The Town intends that funds that have been advanced, or that may be advanced, from the Town's general fund, or any other Town fund related to the project, for project costs may be reimbursed from the financing proceeds.

6. All prior actions of Town officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Approved this 9th day of April 2020.

By: _____

By: _____

Title: _____

Title: _____